



Entered on Docket
August 20, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle", is written over a horizontal line.

Hon. Linda B. Riegle
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

* * * * *

In re)	BK-06-10725-LBR
)	Chapter 11
USA COMMERCIAL MORTGAGE CO.,)	
)	PRETRIAL
)	Date: September 30, 2009
)	Time: 2:30 p.m.
)	TRIAL
)	Date: October 22, 2009 ONLY
Debtor(s).)	Time: 9:30 a.m.

**SECOND AMENDED ORDER RE: PRE-TRIAL MATTERS; TRIAL;
AND SETTLEMENT CONFERENCE TO RESCHEDULE TRIAL DATES**

IT IS HEREBY ORDERED trial is set on the Objection to Claim 203 of Mountain West Mortgage Co./Lerin Hills in the amount of \$2,048,000, and the provisions checked below are hereby adopted by this court as its order.

☒ The request for waiver is granted and no formal discovery plan is required to be filed.

☐ The discovery plan filed by the parties shall govern the matters set forth therein.

☐ Discovery shall be completed by the date shown in the Standard Discovery Plan.

☐ The scheduling conference set with the issuance of the summons (or the continued scheduling conference) is hereby vacated.

A pre-trial conference will be held on September 30, 2009 at 2:30 p.m.

_____ No trial statement is required.

_____ The parties shall file a joint trial statement.

Any objections made pursuant to Fed. R. Civ. P. 26(a)(3) shall be made no later than five days after the opposing party files its Trial Statement.

Motions in Limine must be filed 14 days prior to the pre-trial conference, or if no pre-trial conference is set, _____ days before trial. Responses are due no later than five days thereafter.

Each party shall lodge and meet with the Courtroom Deputy Clerk not later than the day before the trial the following:

Log forms may be obtained from the Court's web site at www.nvb.uscourts.gov or from the Courtroom Deputy Clerk.

1 All exhibits to which there are no objection shall be admitted by stipulation.
2 Counsel may stipulate to an exhibit on one ground (e.g., foundation) while preserving an
3 objection on another ground (e.g., relevance).

4 (2) List of witnesses with correct spelling of the witnesses' full name.

5 **Counsel must make an appointment with the respective Courtroom Deputy to meet**
6 **with them to lodge the exhibits.**

7 Trial of this matter is rescheduled to October 22nd **ONLY** at 9:30 a.m. at 300 Las Vegas
8 Blvd. South, Las Vegas, Nevada, before Judge Linda B. Riegle in Courtroom #1, located on the
9 Third Floor. **The second day of trial originally set for October 23rd is hereby vacated.**

10 **IT IS SO ORDERED.**

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13 Copies sent through ECF to:

14 Rob Charles
15 John Hinderaker

16 and copies sent through BNC to:

16 Craig D. Slater
17 Pengilly Robbins Slater
17 10080 West Alta Drive, Suite 140
18 Las Vegas, NV 89145
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PART "A"

(Trial Statements)

The trial statement(s) shall contain the following items:

1. The disclosures required by Fed. R. Civ. P. 26(a)(3), as adopted by Fed. R. Bank. P. 7026 and LR 7026.
2. A concise statement of the nature of the action and contentions of the parties.
3. A statement as to the core or non-core jurisdiction of the Court, with legal citations.
4. Stipulated facts.
5. Contested issues of law with concise memorandum of authority.
6. Log of exhibits which may be offered in evidence, including any exhibits for impeachment or to refresh the memory of a witness.
7. Any special trial issue which requires the Court's attention.
8. The list of witnesses, with their addresses, expected to be called.